

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HERMAN TAMRAT,
Plaintiff,

v.

MANN, et al.,
Defendants.

Case No. [20-cv-08503-PJH](#)

ORDER DISMISSING CASE

Re: Dkt. No. 16

Plaintiff, a former county detainee and current state prisoner, proceeds with a pro se civil rights complaint under 42 U.S.C. § 1983. He alleges that defendant deputies used excessive force against him and then denied him medical care. Defendants filed a motion for summary judgment on the merits on January 14, 2022, and provided video evidence to plaintiff and the court. Plaintiff had not filed an opposition, so the court ordered him to file an opposition by April 11, 2022. Plaintiff did not file an opposition or otherwise communicate with the court so on May 5, 2022, plaintiff was ordered to file an opposition by May 20, 2022. He was informed that failure to file an opposition may result in dismissal of this action under Federal Rule of Civil Procedure 41(b). Plaintiff has still not filed an opposition or addressed the dispositive motion.

Consequently, the case is dismissed with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The pending motion to dismiss (Docket No. 16) is **DENIED** as moot and this case is closed.

IT IS SO ORDERED.

Dated: July 13, 2022

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge